

TEXAS TRANSPORTATION COMMISSION

SMITH and GREGG Counties

MINUTE ORDER

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TYLER District

Pursuant to Chapter 370 of the Transportation Code, and 43 TAC Chapter 26 (RMA rules), Smith and Gregg Counties (counties) petitioned the Texas Transportation Commission (commission) for authorization to form a Regional Mobility Authority (RMA). The petition was filed on June 23, 2004.

By letter dated July 30, 2004, the Texas Department of Transportation (department) notified the county that the petition met the requirements of §26.11 of the RMA rules.

The petition identifies the continuation and completion of Loop 49 in Smith County as a four-lane divided highway, including an eastern corridor to extend into Gregg County, as the potential candidate project for development by the RMA. When completed, Loop 49 will span approximately 45-50 miles (depending on the eastern route) and link three separate NHS/Truck System highways (US 69, SH 31, IH 20). This project will improve traffic flow throughout the region and eliminate the need to make connection through Tyler's urban center.

The board of directors of the RMA, as set forth in the petition, will be composed of seven members, with six directors appointed by the Smith and Gregg Counties Commissioners Court, and one director, who will serve as chairperson, appointed by the Governor.

On September 7, 2004, the department conducted a public hearing in Smith County and on September 8, 2004, the department conducted a public hearing in Gregg County, pursuant to §26.12 of the RMA rules, to receive public comment on the proposed formation of the RMA. An additional public hearing was held on October 7, 2004 in Smith County. Notice of the public hearing was published in the *Texas Register* and in a newspaper of general circulation in the region.

At the public hearings, the majority of individuals spoke in favor of the creation of the RMA. Five individuals submitted written comments, four in favor of and one opposing the development of toll roads.

The commission finds that the creation of the RMA has sufficient public support. The commission bases this finding on: (1) the support indicated at the public hearing; (2) resolutions of support from the Commissioners Court of Smith County and the Commissioners Court of Gregg County; and (3) joint resolution of support from the City of Tyler and the City of Longview.

The commission finds that creation of the RMA will result in direct benefits to the state, local governments, and the traveling public, and will improve the efficiency of the state's transportation systems. The RMA will benefit the state by constructing needed roadway projects, such as the network identified in the county's petition as the county's potential candidate project. The RMA will benefit local governments by increasing local control over transportation planning and through additional transportation projects that may be funded through surplus revenue earned by the RMA. The traveling public will also benefit through improved mobility and traffic safety throughout the region encompassed by the RMA. The RMA will improve the efficiency of the state's transportation systems through the construction of the potential candidate project, which will enhance mobility and safety within these segments of the state highway system and through the development and financing of additional projects in the future.

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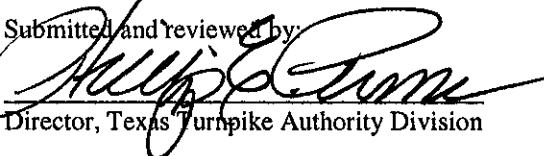
The commission finds that the potential candidate project is: consistent with the approved Texas Transportation Plan; included in the Statewide Transportation Improvement Program; and included in the approved plan of the Metropolitan Planning Organization. Subject to commission approval of the project under §26.31 of the RMA rules, the commission also finds that the project will benefit the traveling public.

IT IS THEREFORE ORDERED that the commission authorizes the creation of the RMA.


IT IS FURTHER ORDERED that the potential candidate project to be developed, maintained, and operated by the RMA shall be the facility identified above. This order does not constitute final commission approval of the project, which must be obtained pursuant to Chapter 370 of the Transportation Code and the applicable provisions of the RMA rules.

IT IS FURTHER ORDERED that the initial board of directors shall be composed of seven members, with six members appointed by the Smith and Gregg Counties Commissioners Court, two of which will specifically represent the interests of the urbanized areas of each county, and the presiding officer appointed by the Governor.

Submitted and reviewed by:


Director, Texas Turnpike Authority Division

Recommended by:


Executive Director

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Minute
Number

Date
Passed